IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO. 6623 OF 2000

Hanumant Bhima Vadar ...Petitioner
versus
The State of Maharashtra ..... Respondent.

...

Shri A.C.Singh i/b Dhanesh Shah for the petitioner

Shri S.R.Nargolkar AGP for State

...

CORAM; V.G. PALSHIKAR &
D.B. BHOSALE, JJ.

DTAED; 22nd SEPT., 2005.

P.C.

1. By this petition, the petitioner has made the following prayers.

a) For a writ of mandamum or a writ in the nature of mandamus or any other apprpriate writ, order or direction under Article 226 or 227 of the Constitution of India directing the respondent nos.1 to 5 to allot the land described in Exhibit "A" hereto being land hearing S.No. 934 to Jay Hanuman Co-op.Hsg.Society Ltd.(proposed)

b) That Respondent Nos. 1 to 5 be ordered by a mandatory order and direction of this

Honourable court to secure vacant possession of the said land and hand over the same to the said society.

c) Respondent Nos.1 to 4 be ordered and directed to enter the name of the said society int he Revenue Records and Record of Rights as holder of the said land.

d) That pending the hearing and final disposal of the petition, this honourable court be pleased to restrain respondent no.3, prohibiting them from issuing, sanctioning any plan or giving permission for construction on the said plot of land to or any person or persons except the said society.

e) For ad-interim reliefs in terms of prayer (d) above.

f) for costs.

2. An affidavit in reply has been filed in which the State has made the following statement.

" The request of the Jay Hanuman Co-op.Housing society along with the demand of other shall

be considered by the Government as per land allotment policy by following proper procedure."

3. In view of the above statement, the petition at this juncture is premature petition. The petitioner should await for such allotment and pursue the same. Writ at this juncture therefore is not tenable. Petition accordingly disposed of.

4. It shall also be open for the petitioner to approach the Government for expedite decision.

*****